

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JEROME KELLEY,)	
)	
Plaintiff)	
v.)	CIVIL ACTION NO. 2:07cv820-MEF
)	
CRACKER BARREL OLD)	
COUNTRY STORE, INC.,)	
)	
Defendant.)	

ORDER ON MOTION

On December 18, 2007, this Court issued an Order directing Plaintiff, Jerome Kelley, to file a response to Defendant's Motion to Compel Discovery (Doc. #14) on or before January 3, 2008. Kelley has failed to respond to the motion. For the reasons stated in Defendant's motion, it is

ORDERED that the motion (Doc. #14) is GRANTED IN PART AND DENIED IN PART. Kelley shall provide complete and full responses to the following discovery requests on or before **January 22, 2008**: (1) Defendant Cracker Barrel Old Country Store, Inc.'s First Set of Interrogatories (Defendant's First Interrogatories); (2) Defendant Cracker Barrel Old Country Store, Inc.'s First Request for Production of Documents (Defendant's First Requests to Produce); and (3) Defendant Cracker Barrel Old Country Store, Inc.'s First Set of Requests for Admissions (Defendant's First Requests to Admit). It is further

ORDERED that Defendant's request that Kelley's Objections to Defendant's First

Interrogatories and Defendant's First Request to Produce be deemed waived is DENIED in light of the Court's decision above. It is further

ORDERED that Defendant's First Request to Admit be deemed admitted is DENIED in light of the Court's decision above.

With regard to Defendant's request for the reasonable expenses incurred in making the motion to compel, including attorney's fees, Defendant generally asserted the motion without any support or information on which to make a ruling. Accordingly, it is

ORDERED that the Motion for Costs is DENIED.

DONE this 8th day of January, 2008.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE